

**RESOLUTION NO. 20110728-038**

**WHEREAS**, the City Council of the City of Austin has found that public necessity requires the City of Austin to acquire certain real property interests for public purposes as set out below; and

**WHEREAS**, the City of Austin has attempted to purchase those real property interests but has been unable to agree with the owners on the value of the property interest, or the damages, if any; **NOW, THEREFORE**,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

That the City Attorney, or other authorized designee, is hereby authorized and directed to file, or cause to be filed, a suit in eminent domain on behalf of the City of Austin against the owners now having, or who may acquire, an interest in the real property interests necessary to the City, described and located below, for the public purposes set out below, and to take whatever other action may be deemed appropriate to effect the necessary acquisitions.

**BE IT FURTHER RESOLVED:**

The City Attorney, or other authorized designee, shall file eminent domain proceedings for:

Owner: Eleven-Mile Hill, LLC

Project: South IH-35 Water and Wastewater Infrastructure  
Improvements Program Project

Public Purpose: a permanent water line easement described in the attached Exhibit "A" is necessary for the purposes of installing, laying, constructing, maintaining, inspecting, repairing, removing, replacing, renewing, using and operating water lines, together with all facilities, connectors and appurtenances;

a temporary working space easement described in the attached Exhibit "B" is necessary to permit the City, its agents, employees, and contractors to enter upon said real property for the construction of the above referenced permanent water lines and related facilities;

a temporary ingress and egress easement described in the attached Exhibit "C" is necessary for permitting the City, its agents, employees and contractors to enter, exit, and re-enter the tract of land described for the purposes of constructing and installing water and wastewater infrastructure improvements on the property; and

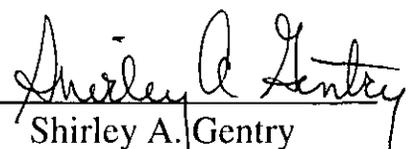
a temporary staging and material storage site easement described in the attached Exhibit "D" is necessary for the purpose of permitting the City, its agents, employees and contractors to work, store, and stage building materials for the purposes of constructing and installing water and wastewater infrastructure improvements.

Location: North of SH 45/F.M. 1327, just east of IH-35, in Austin, Travis County, Texas

Property: Described in the attached and incorporated Exhibits A, B, C, and D.

ADOPTED: July 28, 2011

ATTEST:

  
Shirley A. Gentry  
City Clerk



**MACIAS & ASSOCIATES, L.P.**  
LAND SURVEYORS

EXHIBIT " A "

(WATERLINE EASEMENT)  
SOUTH I-35 WATER/WASTEWATER PROGRAM  
CIP # 6937.013

**DESCRIPTION FOR PARCEL 4558.18WE-2**

LEGAL DESCRIPTION OF A 0.667 ACRE (29,056 SQUARE FOOT) TRACT OF LAND OUT OF THE TRINIDAD VARCINAS SURVEY NO. 535, ABSTRACT NO. 785 IN TRAVIS COUNTY, TEXAS, SAID 0.667 ACRE TRACT BEING A PORTION OF A 10.01 ACRE TRACT DESCRIBED IN A WARRANTY DEED TO ELEVEN-MILE HILL, LLC, DATED APRIL 15, 2005, AND RECORDED IN DOCUMENT NO. 2005065893 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND CORRECTED IN DOCUMENT NO. 2006143599 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.667 ACRE TRACT AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a 60D nail set in the west line of said 10.01 acre tract, also being the east line of an 11.51 acre tract described in Document No. 2005065892 of the Official Public Records of Travis County, Texas, and corrected in Document No. 2006143598 of the Official Public Records of Travis County, Texas, having Texas State Plane Grid Coordinate (Central Zone-4203, NAD83(CORS), U.S. Survey Feet,) values of N=10,013,833.47, E=3,096,740.21, for the southwest corner and **POINT OF BEGINNING** of this tract, from which a 1/2" iron rod with plastic cap stamped "VARA" found in the north right-of-way line of F.M. 1327 (right-of-way width varies) for the common south corner of said 10.01 acre tract and said 11.51 acre tract, bears South 02°07'58" East, a distance of 20.00 feet;

**THENCE** North 02°07'58" West, with the common line of said 10.01 acre tract and said 11.51 acre tract, a distance of 30.00 feet to a 60D nail set for the northwest corner of this tract, from which a 1/2" iron rod with plastic cap stamped "VARA" found for the common north corner of said 10.01 acre tract and said 11.51 acre tract, bears North 02°07'58" West, a distance of 399.98 feet;

**THENCE** North 87°52'09" East, over and across said 10.01 acre tract, a distance of 968.52 feet to a 60D nail set in the east line of said 10.01 acre tract, also being the west line of a 10.01 acre tract (the Boone & Herman's tract) described in Document No. 2005065897 of the Official Public Records of Travis County, Texas, and corrected in Document No. 2006143593 of the Official Public Records of Travis County, Texas, for the northeast corner of this tract, from which a 1/2" iron rod with plastic cap stamped "VARA" found for the common north corner of said Eleven-Mile Hill 10.01 acre tract and said Boone & Herman's 10.01 acre tract, bears North 02°07'45" West, a distance of 399.97 feet;

**THENCE** South 02°07'45" East, with the common line of said Eleven-Mile Hill 10.01 acre tract and said Boone & Herman's 10.01 acre tract, a distance of 30.00 feet to a 60D nail set for the southeast corner of this tract, from which a 5/8" iron rod found in said north right-of-way line of F.M. 1327, for the common south corner of said Eleven-Mile Hill 10.01 acre tract and said Boone & Herman's 10.01 acre tract, bears South 02°07'45" East, a distance of 20.00 feet;

**THENCE** South 87°52'09" West, over and across said Eleven-Mile Hill 10.01 acre tract, a distance of 968.52 feet to the **POINT OF BEGINNING**, containing 0.667 acres (29,056 square feet) of land.

**BEARING BASIS NOTE**

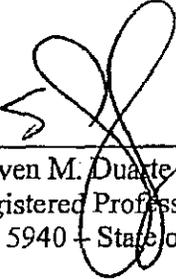
The bearings described herein are Texas State Plane Grid Bearings, Central Zone-4203, NAD 83(CORS). Project control points were established from City of Austin reference station "F-11-3001" having coordinate values of N=10,022,636.88, E=3,098,305.34 and "F-11-2001" having coordinate values of N=10,023,831.79, E=3,098,416.36. Distances shown herein are grid.

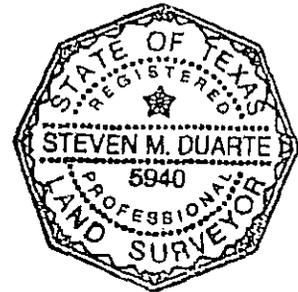
**THE STATE OF TEXAS** §  
§                   KNOW ALL MEN BY THESE PRESENTS:  
**COUNTY OF TRAVIS** §

That I, Steven M. Duarte, a Registered Professional Land Surveyor, do hereby state that the above description is true and correct to the best of my knowledge and belief and that the property described herein was determined by a survey made on the ground under my direction and supervision.

WITNESS MY HAND AND SEAL at Austin, Travis County, Texas, this 1st day of July, 2009, A.D.

Macias & Associates, L.P.  
5410 South 1<sup>st</sup> Street  
Austin, Texas 78745  
512-442-7875

  
7/1/09  
\_\_\_\_\_  
Steven M. Duarte  
Registered Professional Land Surveyor  
No. 5940 - State of Texas



**REFERENCES**  
MAPSCO 2003, 733-G  
AUSTIN GRID NO. F-9  
TCAD PARCEL ID NO. 04-5618-0207  
MACIAS & ASSOCIATES, L.P., PROJECT NO. 396-03-08

Reviewed and Approved by  
**Landmark Surveying, LP**

*Juan M. Canales, Jr.* Date 7-1-09

Juan M. Canales, Jr., R.P.L.S. No. 4453  
Senior Project Manager

# SKETCH TO ACCOMPANY LEGAL DESCRIPTION

- LEGEND**
- 1/2" IRON ROD FOUND WITH PLASTIC CAP STAMPED
  - 5/8" IRON ROD FOUND
  - ◻ TxDOT TYPE II BRASS DISK IN CONCRETE FOUND
  - ▲ 800 NAIL SET
  - ( ) RECORD INFORMATION
  - O.P.R.I.C.T. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
  - D.R.I.C.T. DEED RECORDS OF TRAVIS COUNTY, TEXAS

**LINE TABLE**

NUMBER	Bearing	Distance
L1	N02°07'58"W	30.00'
L2	S02°07'45"E	30.00'
L3	S02°07'58"E	20.00'
L4	S02°07'45"E	20.00'

HFH INVESTMENTS LP  
(PER TCAD)  
DOC. NO. 2000089761  
O.P.R.I.C.T.  
(REMAINDER PORTION  
OF 449.05 ACRES)

TRINIDAD VARGINAS  
SURVEY NO. 535  
ABSTRACT NO. 785

YARARA, LLC.  
DOC. NO. 2005065892  
CORRECTED IN  
DOC. NO. 2006143598  
O.P.R.I.C.T.  
(REMAINDER PORTION  
OF 11.51 ACRES)

ELEVEN-MILE HILL, LLC.  
DOC. NO. 2005065893  
CORRECTED IN  
DOC. NO. 2006143599  
O.P.R.I.C.T.  
(10.01 ACRES)

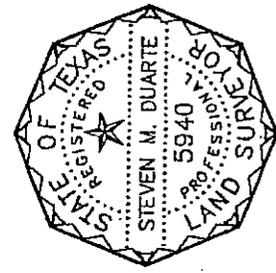
BOONE & HERMAN'S, LLC.  
DOC. NO. 2005065897  
CORRECTED IN  
DOC. NO. 2006143593  
O.P.R.I.C.T.  
(10.01 ACRES)

PARCEL  
4558.18WE-2  
0.667 AC.  
29,056 SQ. FT.

POINT OF  
BEGINNING  
N=10013833.47  
E= 3096740.21  
GRID

**BEARING BASIS:**  
THE COORDINATES AND BEARINGS SHOWN  
HEREON ARE BASED ON THE TEXAS STATE  
PLANE COORDINATE SYSTEM, CENTRAL  
ZONE-4203, NAD83(CORS). THE COORDINATES  
WERE ESTABLISHED FROM CITY OF AUSTIN  
REFERENCE POINT T-11-3001 HAVING  
COORDINATE VALUES OF N=10,022,636.88,  
E=3,088,305.34 AND CITY OF AUSTIN  
REFERENCE POINT T-11-2001 HAVING  
COORDINATE VALUES OF N=10,023,831.79,  
E=3,088,416.36. DISTANCES SHOWN HEREON  
ARE GRID.

July 01, 2008  
Steven M. Duarte  
Registered Professional Land Surveyor  
No. 5940 - State of Texas



DATE: 04-16-09
REV: 4-21-08, 5-04-09,
7-01-08
DRAWN BY: SHD
MAIL JOB NO.: 398-03-08
REFERENCE:

**MACIAS & ASSOCIATES, L.P.**  
LAND SURVEYORS  
5410 SOUTH 1ST STREET  
AUSTIN, TEXAS 78745 PH. (512)442-7875  
FAX (512)42-7876 EMAIL: CARHELO.MACIAS@MACIASURV.COM

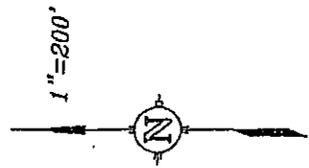
**\*SURVEYOR'S NOTE:**  
NO CITY OF AUSTIN INFRASTRUCTURE SHALL BE BUILT  
PARALLEL WITH THIS EASEMENT INSIDE THIS 5-FOOT  
WIDE AREA.

HENRY M. DOWNMANN  
SURVEY NO. 536  
ABSTRACT NO. 218

F.M. 1327  
(RIGHT-OF-WAY WIDTH VARIES)

SUBJ. TO CONTROL  
OF ACCESS-DOC. NO.  
2007024752  
O.P.R.I.C.T.

APPROX. LOCATION OF SURVEY LINE





**MACIAS & ASSOCIATES, L.P.**  
LAND SURVEYORS

EXHIBIT " B "

(TEMPORARY WORKING SPACE EASEMENT)  
SOUTH I-35 WATER/WASTEWATER PROGRAM  
CIP # 6937.013

**DESCRIPTION FOR PARCEL 4558.18 TWSE**

LEGAL DESCRIPTION OF A 0.445 ACRE (19,370 SQUARE FOOT) TRACT OF LAND OUT OF THE TRINIDAD VARCHINAS SURVEY NO. 535, ABSTRACT NO. 785 IN TRAVIS COUNTY, TEXAS, SAID 0.445 ACRE TRACT BEING A PORTION OF A 10.01 ACRE TRACT DESCRIBED IN A WARRANTY DEED TO ELEVEN-MILE HILL, LLC, DATED APRIL 15, 2005, AND RECORDED IN DOCUMENT NO. 2005065893 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND CORRECTED IN DOCUMENT NO. 2006143599 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.445 ACRE TRACT AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a 60D nail set in the west line of said 10.01 acre tract, also being the east line of an 11.51 acre tract described in Document No. 2005065892 of the Official Public Records of Travis County, Texas, and corrected in Document No. 2006143598 of the Official Public Records of Travis County, Texas, having Texas State Plane Grid Coordinate (Central Zone-4203, NAD83(CORS), U.S. Survey Feet,) values of N=10,013,863.45, E=3,096,739.09, for the southwest corner and **POINT OF BEGINNING** of this tract, from which a 1/2" iron rod with plastic cap stamped "VARA" found in the north right-of-way line of F.M. 1327 (right-of-way width varies) for the common south corner of said 10.01 acre tract and said 11.51 acre tract, bears South 02°07'58" East, a distance of 50.00 feet;

**THENCE** North 02°07'58" West, with the common line of said 10.01 acre tract and said 11.51 acre tract, a distance of 20.00 feet to a calculated point for the northwest corner of this tract, from which a 1/2" iron rod with plastic cap stamped "VARA" found for the common north corner of said 10.01 acre tract and said 11.51 acre tract, bears North 02°07'58" West, a distance of 379.98 feet;

**THENCE** North 87°52'09" East, over and across said 10.01 acre tract, a distance of 968.52 feet to a calculated point in the east line of said 10.01 acre tract, also being the west line of a 10.01 acre tract (the Boone & Herman's tract) described in Document No. 2005065897 of the Official Public Records of Travis County, Texas, and corrected in Document No. 2006143593 of the Official Public Records of Travis County, Texas, for the northeast corner of this tract, from which a 1/2" iron rod with plastic cap stamped "VARA" found for the common north corner of said Eleven-Mile Hill 10.01 acre tract and said Boone & Herman's 10.01 acre tract, bears North 02°07'45" West, a distance of 379.97 feet;



# SKETCH TO ACCOMPANY LEGAL DESCRIPTION

1"=200'

NUMBER	Bearing	Distance
L1	N02°07'58"W	20.00'
L2	S02°07'45"E	20.00'
L3	S02°07'58"E	50.00'
L4	S02°07'45"E	50.00'

HFH INVESTMENTS LP  
(PER TCAD)  
DOC. NO. 2000089761  
O.P.R.T.C.T.  
(REMAINDER PORTION  
OF 449.05 ACRES)

TRINIDAD VARCINAS  
SURVEY NO. 535  
ABSTRACT NO. 785

YARARA, LLC  
DOC. NO. 2005065892  
CORRECTED IN  
DOC. NO. 2006143598  
O.P.R.T.C.T.  
(REMAINDER PORTION  
OF 11.51 ACRES)

POINT OF BEGINNING  
N=10013863.45  
E= 3096739.09  
GRID

50'x200'  
CHANNEL ESMT.  
VOL 1022, PG. 628  
D.R.T.C.T.

ELEVEN-MILE HILL, LLC.  
DOC. NO. 2005065893  
CORRECTED IN  
DOC. NO. 2006143599  
O.P.R.T.C.T.  
(10.01 ACRES)

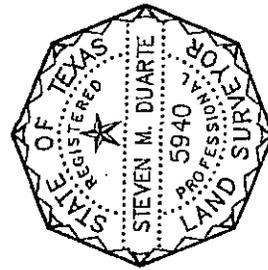
PARCEL  
4558.18  
TWISE  
0.445 AC.  
19,370 SQ. FT.

BOONE & HERMAN'S, LLC.  
DOC. NO. 2005065897  
CORRECTED IN  
DOC. NO. 2006143593  
O.P.R.T.C.T.  
(10.01 ACRES)

BEARING BASIS:  
THE COORDINATES AND BEARINGS SHOWN  
HEREON ARE BASED ON THE TEXAS STATE  
PLANE COORDINATE SYSTEM, CENTRAL  
ZONE-4203, NAD83(CORS). THE COORDINATES  
WERE ESTABLISHED FROM CITY OF AUSTIN  
REFERENCE POINT "F-11-3001" HAVING  
COORDINATE VALUES OF N=10,022,636.88,  
E=3,098,305.34 AND CITY OF AUSTIN  
REFERENCE POINT "F-11-2001" HAVING  
COORDINATE VALUES OF N=10,023,831.79,  
E=3,098,416.36. DISTANCES SHOWN HEREON  
ARE GRID.

APRIL 16, 2009

Steven M. Duarte  
Registered Professional Land Surveyor  
No. 5940 - State of Texas



PAGE 3 OF 3

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DATE: 04-16-09  
DRAWN BY: smd  
MAP JOB NO.: 396-03-08  
REFERENCE:

**MACIAS & ASSOCIATES, L.P.**  
LAND SURVEYORS  
★ ★ ★ ★ ★ ★ ★ ★ ★ ★  
5410 SOUTH 1ST STREET  
AUSTIN, TEXAS 78745 PH: (512)442-7875  
FAX (512)442-7876 EMAIL: CARMELO.MACIAS@MACIASSURV.COM

HENRY M. DOWNMANN  
SURVEY NO. 536  
ABSTRACT NO. 218

### LEGEND

- ⊙ 1/2" IRON ROD FOUND WITH PLASTIC CAP STAMPED
  - 5/8" IRON ROD FOUND
  - ⊠ TADDOY TYPE B BRASS DISK IN CONCRETE FOUND
  - ▲ 60D NAIL SET
  - △ CALCULATED POINT
  - ( ) RECORD INFORMATION
- O.P.R.T.C.T. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS  
D.R.T.C.T. DEED RECORDS OF TRAVIS COUNTY, TEXAS

APPROX. LOCATION OF SURVEY LINE

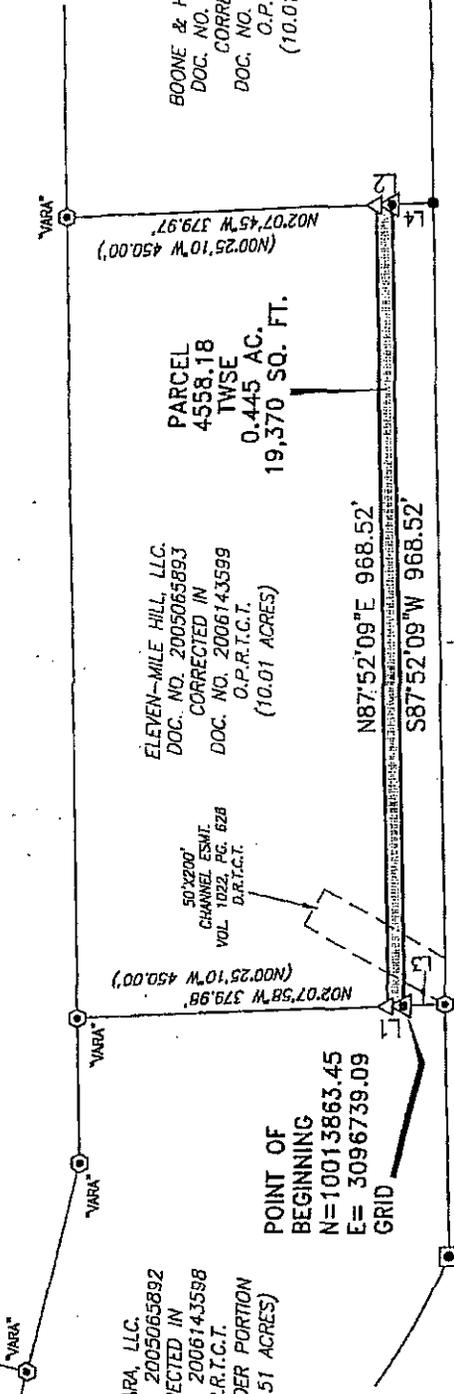




EXHIBIT "  C  "

(TEMPORARY INGRESS AND EGRESS EASEMENT)  
SOUTH I-35 WATER/WASTEWATER PROGRAM  
CIP # 6937.013

**DESCRIPTION FOR PARCEL 4558.18 TIAEE**

LEGAL DESCRIPTION OF A 0.014-ACRE (600 SQUARE FOOT) TRACT OF LAND OUT OF THE TRINIDAD VARCINAS SURVEY NO. 535, ABSTRACT NO. 785 IN TRAVIS COUNTY, TEXAS, SAID 0.014-ACRE TRACT BEING A PORTION OF A CALLED 10.01-ACRE TRACT DESCRIBED IN A WARRANTY DEED TO ELEVEN-MILE HILL, LLC, DATED APRIL 15, 2005, AND RECORDED IN DOCUMENT NO. 2005065893 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND CORRECTED IN DOCUMENT NO. 2006143599 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.014-ACRE TRACT AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING FOR REFERENCE** at a capped 1/2-inch iron rod found stamped "VARA" on the north right-of-way line of F.M. 1327 (right-of-way width varies), at the southwest corner of the above referenced 10.01-acre tract, same being the southeast corner of a called 11.51-acre tract described in Document No. 2005065892 of the Official Public Records of Travis County, Texas, and corrected in Document No. 2006143598 of the Official Public Records of Travis County, Texas, from which a Brass Disk found at a point of curvature of a curve to the right in said north right-of-way line of F.M. 1327, same being the southerly line of said 11.51-acre tract, bears S87°55'31"W a distance of 300.53 feet; **Thence**, with said north right-of-way line of F.M. 1327, same being the south line of said 10.01-acre tract, N87°52'20"E, a distance of 320.94 to a 60d nail set, having Texas State Plane Grid Coordinate (Central Zone 4203, NAD83(CORS), U.S. Survey Feet,) values of N=10,013,825.41, E=3,097,061.68, for the southwest corner and **POINT OF BEGINNING** of this easement;

**THENCE**, through said 10.01-acre tract, the following three (3) courses and distances:

- 1) **N02°07'58"W**, a distance of **20.00** feet to a 60d nail set, for the northwest corner of this easement;
- 2) **N87°52'20"E**, a distance of **30.00** feet to a 60d nail set, for the northeast corner of this easement;
- 3) **S02°07'58"E**, a distance of **20.00** feet to a 60d nail set on said north right-of-way line of F.M. 1327, for the southeast corner of this easement, from which a capped 1/2-inch iron rod found stamped "VARA" on said north right-of-way line of F.M. 1327, being on the southeast corner of said 10.01-acre tract, and also being the southwest corner of a called

CAPITAL VIEW CENTER 1301 SOUTH CAPITAL OF TEXAS HIGHWAY  
BUILDING B, SUITE 315, AUSTIN, TEXAS 78746 (512) 328-7411 (512) 328-7413  
T.U.C.P./W.B.E./H.U.B./D.B.E.



10.01-acre tract (the Boone & Herman's tract) described in Document No. 2005065897 of the Official Public Records of Travis County, Texas, and corrected in Document No. 2006143593 of the Official Public Records of Travis County, Texas, bears N87°52'20"E, a distance of 617.58 feet; and

THENCE, with said north right-of-way line of F.M. 1327, S87°52'20"W, a distance of 30.00 feet to the POINT OF BEGINNING, containing 0.014-acres (600 square feet) of land.

**BEARING BASIS NOTE**

The bearings described herein are Texas State Plane Grid Bearings, Central Zone-4203, NAD 83(CORS). Project control points were established from City of Austin reference station "F-11-3001" having coordinate values of N=10,022,636.88, E=3,098,305.34 and "F-11-2001" having coordinate values of N=10,023,831.79, E=3,098,416.36. Distances shown herein are grid.

**CERTIFICATION:**

I do hereby certify that this easement description is true and correct to the best of my knowledge and belief, and was prepared from an actual on the ground survey of found property corners, under my supervision, and that the markers described herein actually exist, as described, at the time of my survey.

As Prepared by  
Landmark Surveying, LP

*Juan M. Canales, Jr.*  
\_\_\_\_\_  
Juan M. Canales, Jr.

*12-17-09*  
\_\_\_\_\_  
Date

Registered Professional Land Surveyor No. 4453  
Senior Project Manager  
Firm Registration No. 100727-00

**REFERENCES**

MAPSCO 2003, 733-G, GRID NO. F-9  
TCAD PARCEL ID NO. 04-5618-0207  
4558.18-TIAEE.doc



Reviewed and Approved by:  
MACIAS & ASSOCIATES, L.P.

*Jackie Lee Crow*  
\_\_\_\_\_  
Date: *12/17/2009*  
JACKIE LEE CROW  
R.P.L.S. #5209

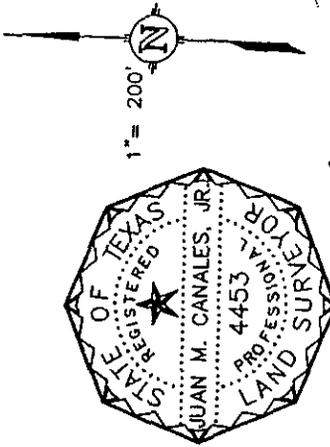
SKETCH TO ACCOMPANY LEGAL DESCRIPTION

- LEGEND**
- ▲ 60D NAIL SET
  - 1/2" IRON ROD FOUND UNLESS NOTED OTHERWISE
  - BRASS DISK FOUND
  - ⊙ 1/2" IRON PIPE FOUND UNLESS NOTED OTHERWISE
  - ▲ MAG NAIL FOUND
  - ▲ CALCULATED POINT
  - ( ) RECORD INFORMATION
  - DP.R.I.C.T. OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
  - RP.R.I.C.T. REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS
  - PLAT RECORDS OF TRAVIS COUNTY, TEXAS

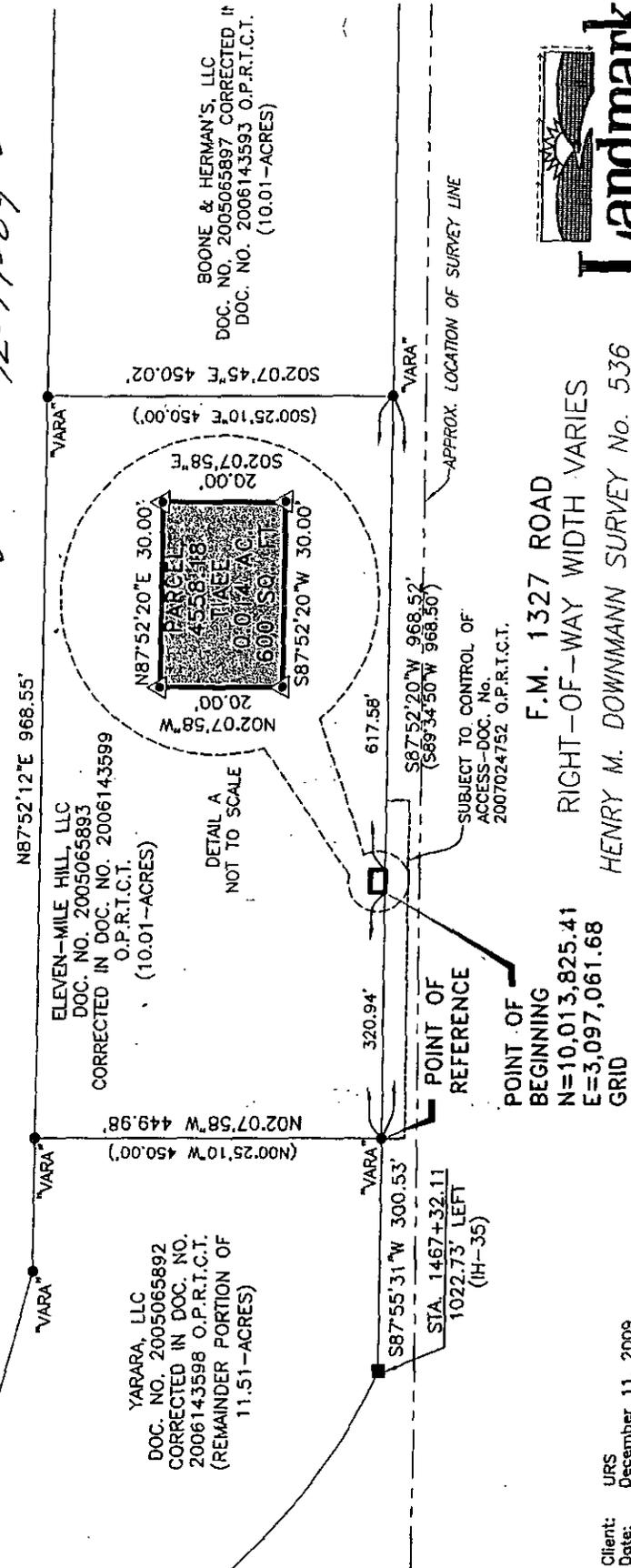
HFH INVESTMENTS LP

NOW OR FORMERLY-  
TURNERSVILLE DEVELOPMENT, LTD  
DOC. NO. 2000089761 O.P.R.T.C.T.  
(REMAINDER OF 449.05-ACRES)

TRINIDAD VARCINAS SURVEY No. 535  
ABSTRACT No. 785



*Juan M. Canales, Jr.*  
12-17-09



BOONE & HERMAN'S, LLC  
DOC. NO. 2005085897 CORRECTED IN  
DOC. NO. 2006143593 O.P.R.T.C.T.  
(10.01-ACRES)



F.M. 1327 ROAD  
RIGHT-OF-WAY WIDTH VARIES  
HENRY M. DOWNMANN SURVEY No. 536  
ABSTRACT No. 218

Client: URS  
Date: December 11, 2009  
Office: Eleuterio Leos  
Crew: S.Dunn  
Path: c:\leos drawings\urs\segment no.9 (easements)\sh35\_seg 9--grid--bose.dwg  
Job No.: 610-16-01

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

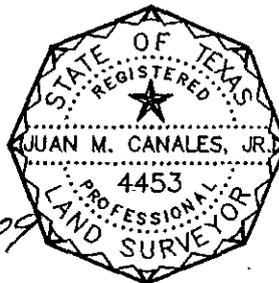
The property described hereon is contained within Zone X, as scaled from F.I.R.M. Map Number 48453C0685H, dated September 26, 2008, as published by the Federal Emergency Management Agency, the purpose of which is for flood insurance only.

I hereby certify that a survey was made on the ground of the easement shown hereon; that there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or right-of-ways, except as shown; that said easement has access to and from a public roadway; and that this plot is an accurate representation of the easement to the best of my knowledge.

**BEARING BASIS:**

THE BEARINGS DESCRIBED HEREIN ARE TEXAS STATE PLANE GRID BEARINGS, CENTRAL ZONE-4203, NAD83(CORS). PROJECT CONTROL POINTS WERE ESTABLISHED FROM CITY OF AUSTIN, REFERENCE POINT "F-11-3001" HAVING COORDINATE VALUES OF N=10,022,636.88, E=3,098,305.34 AND "F-11-2001" HAVING COORDINATE VALUES OF N=10,023,831.79, E=3,098,416.36. DISTANCES SHOWN HEREON ARE GRID.

AS SURVEYED BY  
LANDMARK SURVEYING, LP  
FIRM REGISTRATION NO. 100727-00



*Juan M. Canales, Jr. 12-17-09*  
JUAN M. CANALES, JR.

Registered Professional Land Surveyor No. 4453  
DATE: December 9, 2009

THIS SURVEY PLAT IS VALID ONLY IF IT BEARS THE ORIGINAL SIGNATURE OF THE ABOVE SURVEYOR

Client: URS  
Date: December 11, 2009  
Office: Eleuterio Leos  
Crew: S.Dunn  
F.B.:  
Path: c:\leos drawings\urs\segment no.9 (easements)\sht35\_seg 9-grid-base.dwg  
Job No.: 610-16-01

SKETCH TO ACCOMPANY FIELD NOTES

**Landmark**  
SURVEYING, LP  
1301 S. CAPITAL OF TEXAS HWY.  
BUILDING B, SUITE 315  
AUSTIN, TEXAS 78746  
PH: (512)328-7411 FAX: (512)328-7413



EXHIBIT " D "

(TEMPORARY STAGING AREA AND  
MATERIAL STORAGE SITE)  
SOUTH I-35 WATER/WASTEWATER PROGRAM  
CIP # 6937.013

**DESCRIPTION FOR PARCEL 4558.18 TSAAMSS**

LEGAL DESCRIPTION OF A 1.377-ACRE (60,000 SQUARE FOOT) TRACT OF LAND OUT OF THE TRINIDAD VARCINAS SURVEY NO. 535, ABSTRACT NO. 785 IN TRAVIS COUNTY, TEXAS, SAID 1.377-ACRE TRACT BEING A PORTION OF A CALLED 10.01-ACRE TRACT DESCRIBED IN A WARRANTY DEED TO ELEVEN-MILE HILL, LLC, DATED APRIL 15, 2005, AND RECORDED IN DOCUMENT NO. 2005065893 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND CORRECTED IN DOCUMENT NO. 2006143599 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS; SAID 1.377-ACRE TRACT AS SHOWN ON THE ACCOMPANYING SKETCH, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING FOR REFERENCE** at a capped 1/2-inch iron rod found stamped "VARA" on the north right-of-way line of F.M. 1327 (right-of-way width varies), at the southwest corner of the above referenced 10.01-acre tract, same being the southeast corner of a called 11.51-acre tract described in Document No. 2005065892 of the Official Public Records of Travis County, Texas, and corrected in Document No. 2006143598 of the Official Public Records of Travis County, Texas, from which a Brass Disk found at a point of curvature of a curve to the right in said north right-of-way line of F.M. 1327, same being the southerly line of said 11.51-acre tract, bears  $S87^{\circ}55'31''W$ , a distance of 300.53 feet; **Thence**, with said north right-of-way line of F.M. 1327, same being the south line of said 10.01-acre tract,  $N87^{\circ}52'20''E$ , a distance of 320.94 to a 60d nail set; **Thence**, departing said north right-of-way line of F.M. 1327, through said 10.01-acre tract,  $N02^{\circ}07'40''W$  a distance of 70.00 feet to a 60d nail set, having Texas State Plane Grid Coordinate (Central Zone 4203, NAD83(CORS), U.S. Survey Feet,) values of  $N=10,013,895.36$ ,  $E=3,097,059.08$ , for the southwest corner and **POINT OF BEGINNING** of this easement;

**THENCE**, continuing through said 10.01-acre tract, the following four (4) courses and distances:

- 1)  $N02^{\circ}07'58''W$ , a distance of 150.00 feet to a 60d nail set, for the northwest corner of this easement;
- 2)  $N87^{\circ}52'20''E$ , a distance of 400.00 feet to a 60d nail set, for the northeast corner of this easement;

CAPITAL VIEW CENTER 1301 SOUTH CAPITAL OF TEXAS HIGHWAY  
BUILDING B, SUITE 315, AUSTIN, TEXAS 78746 (512) 328-7411 (512) 328-7413  
T.U.C.P./W.B.E./H.U.B./D.B.E.



- 3) S02°07'58"E, a distance of 150.00 feet to a 60d nail set, for the southeast corner of this easement, from which a capped 1/2-inch iron rod found stamped "VARA" on said north right-of-way line of F.M. 1327, monumenting the southeast corner of said 10.01-acre tract and also being the southwest corner of a called 10.01-acre tract (the Boone & Herman's tract) described in Document No. 2005065897 of the Official Public Records of Travis County, Texas, and corrected in Document No. 2006143593 of the Official Public Records of Travis County, Texas, bears S02°07'40"E, a distance of 70.00 feet, and N87°52'20"E, a distance of 247.58 feet; and
- 4) S87°52'20"W, a distance of 400.00 feet to the **POINT OF BEGINNING**, containing 1.377-acres (60,000 square feet) of land.

**BEARING BASIS NOTE**

The bearings described herein are Texas State Plane Grid Bearings, Central Zone-4203, NAD 83(CORS). Project control points were established from City of Austin reference station "F-11-3001" having coordinate values of N=10,022,636.88, E=3,098,305.34 and "F-11-2001" having coordinate values of N=10,023,831.79, E=3,098,416.36. Distances shown herein are grid.

**CERTIFICATION:**

I do hereby certify that this easement description is true and correct to the best of my knowledge and belief, and was prepared from an actual on the ground survey of found property corners, under my supervision, and that the markers described herein actually exist, as described, at the time of my survey.

As Prepared by  
Landmark Surveying, LP

*Juan M. Canales, Jr.*  
Juan M. Canales, Jr.

Registered Professional Land Surveyor No. 4453  
Senior Project Manager  
Firm Registration No. 100727-00

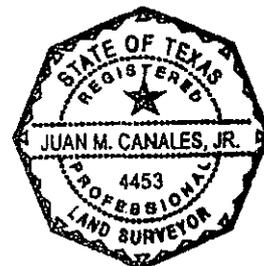
*12-17-09*  
Date

**REFERENCES**

Reviewed and Approved by:  
MACIAS & ASSOCIATES, L.P.

MAPSCO 2003, 733-G, GRID NO. F-9  
TCAD PARCEL ID NO. 04-5618-0207  
4558.18-TSAAMSS.doc

*Jackie Lee Crow*  
Date: *12/17/2009*  
JACKIE LEE CROW  
R.P.L.S. #5209



CAPITAL VIEW CENTER 1301 SOUTH CAPITAL OF TEXAS HIGHWAY  
BUILDING B, SUITE 315, AUSTIN, TEXAS 78746 (512) 328-7411 (512) 328-7413  
T.U.C.P./W.B.E./I.U.B./D.B.E.

SKETCH TO ACCOMPANY LEGAL DESCRIPTION

LEGEND

- 600 NAIL SET
- 1/2" IRON ROD FOUND UNLESS NOTED OTHERWISE
- BRASS DISK FOUND
- 1/2" IRON PIPE FOUND UNLESS NOTED OTHERWISE
- MAG NAIL FOUND
- CALCULATED POINT
- RECORD INFORMATION
- OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS
- REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS
- PLAT RECORDS OF TRAVIS COUNTY, TEXAS
- O.P.R.T.C.T.
- R.P.R.T.C.T.
- P.R.T.C.T.

LINE	BEARING	DISTANCE
L1	N02°07'40"W	70.00'
L2	S02°07'40"E	70.00'

HFH INVESTMENTS LP

NOW OR FORMERLY—  
TURNERSVILLE DEVELOPMENT, LTD  
DOC. NO. 2000089761 O.P.R.T.C.T.  
(REMAINDER OF 449.05-ACRES)

TRINIDAD VARCINAS SURVEY No. 535  
ABSTRACT No. 785



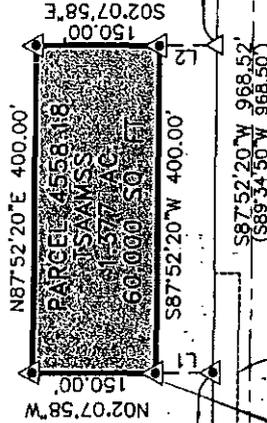
*Juan M. Canales, Jr.*  
12-17-09

N87°52'12"E 966.55'

ELEVEN-MILE HILL, LLC  
DOC. NO. 2005065893  
CORRECTED IN DOC. NO. 2006143599  
O.P.R.T.C.T.  
(10.01-ACRES)

YARARA, LLC  
DOC. NO. 2005065892  
CORRECTED IN DOC. NO.  
2006143598 O.P.R.T.C.T.  
(REMAINDER PORTION OF  
11.51-ACRES)

BOONE & HERMAN'S, LLC  
DOC. NO. 2005065897 CORRECTED IN  
DOC. NO. 2006143593 O.P.R.T.C.T.  
(10.01-ACRES)



POINT OF BEGINNING  
N=10,013,895.36  
E=3,097,059.08  
GRID

STA. 1467+32.11  
1022.73' LEFT  
(IH-35)

S87°55'31"W 300.53'

320.94'

247.58'

APPROX. LOCATION OF SURVEY LINE

F.M. 1327 ROAD  
RIGHT-OF-WAY WIDTH VARIES

HENRY M. DOWNMANN SURVEY No. 536  
ABSTRACT No. 218

Client: URS  
Date: December 11, 2009  
Office: Eleuterio Leos  
Crew: S.Dunn  
Path: c:\leos drawings\urs\segment no.9 (easements)\sh35\_seg 9-grid-base.dwg  
Job No.: 610-16-01



SKETCH TO ACCOMPANY LEGAL  
DESCRIPTION

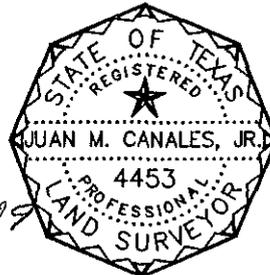
The property described hereon is contained within Zone X, as scaled from F.I.R.M. Map Number 48453C0685H, dated September 26, 2008, as published by the Federal Emergency Management Agency, the purpose of which is for flood insurance only.

I hereby certify that a survey was made on the ground of the easement shown hereon; that there are no visible discrepancies, conflicts, shortages in area, boundary line conflicts, encroachments, overlapping of improvements, easements or right-of-ways, except as shown; that said easement does not have access to and from a public roadway; and that this plat is an accurate representation of the easement to the best of my knowledge.

**BEARING BASIS:**

THE BEARINGS DESCRIBED HEREIN ARE TEXAS STATE PLANE GRID BEARINGS, CENTRAL ZONE-4203, NAD83(CORS). PROJECT CONTROL POINTS WERE ESTABLISHED FROM CITY OF AUSTIN, REFERENCE POINT "F-11-3001" HAVING COORDINATE VALUES OF N=10,022,636.88, E=3,098,305.34 AND "F-11-2001" HAVING COORDINATE VALUES OF N=10,023,831.78, E=3,098,416.36. DISTANCES SHOWN HEREON ARE GRID.

AS SURVEYED BY  
LANDMARK SURVEYING, LP  
FIRM REGISTRATION NO. 100727-00



*Juan M. Canales, Jr. 12-17-09*  
JUAN M. CANALES, JR.

Registered Professional Land Surveyor No. 4453

DATE: December 9, 2009

THIS SURVEY PLAT IS VALID ONLY IF IT BEARS THE  
ORIGINAL SIGNATURE OF THE ABOVE SURVEYOR

Client: URS  
Date: December 11, 2009  
Office: Eleuterio Leos  
Crew: S.Dunn  
F.B.:  
Path: c:\leos drawings\urs\segment no.9 (easements)\sh35\_seg 9-grid-base.dwg  
Job No.: 610-16-01

PAGE 4 OF 4

SKETCH TO  
ACCOMPANY  
FIELD NOTES



1301 S. CAPITAL OF TEXAS HWY.  
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PH: (512)328-7411 FAX: (512)328-7413